

K.L.E SOCIETY'S LAW COLLEGE, BENGALURU

COURSE PLAN*

Subject: Family Law- II Class: 3rd BBA 'A' and 3rd BA 'A'

Course Objectives: The knowledge of family laws is important for lawyers. This course is designed to endow the students with knowledge of both the codified and un-codified portions of Mohamrmedan Law. The course concerns itself with the sources, schools, institutions, succession, maintenance, menace of dowry, etc. In addition the students have to familiarize themselves with the provisions of the Indian Succession Act. *Jowel*

Module s/Units	Topic	No of Hour s	Method of Teaching	Prerequisites- Readings/Assignments	Supplementary Reading	Unit Outcomes
I (14)	Development of Islamic Law: Advent of Islam & development of Muslim Law	2	Lecture and discussion. <i>PPT</i>	Mulla, Principles of Mohammedan Law, (New Delhi: Lexis Nexis, 1906). A. A. A Fyzee, Outlines of Mohammedan Law, (Oxford University Press, 1974)	Paras Diwan, Family Law: Law of Marriage and Divorce in India, (New Delhi: Universal Law Publishing Co. Ltd, 2011) A. M. Bhattacharjee, Muslim Law and the Constitution (Calcutta: Eastern Law House, 1994) Tahir Mohamood, The Muslim Law of India, (Law Book Company, 1980)	At the end of the unit the students will be able to understand the foundation of Islamic law and analyze and solve issues pertaining to marriage under Islamic law
	Schools of Islamic Law, Who is a Mohamrmeden,	2	Lecture, <i>debate</i> and discussion.	Mulla, Principles of Mohammedan Law, (New Delhi: Lexis Nexis, 1906).	Paras Diwan, Family Law: Law of Marriage and Divorce in India, (New Delhi:	

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			A. A. A Fyzee, Outlines of Mohammedan Law, (Oxford University Press, 1974)	Universal Law Publishing Co. Ltd, 2011) A. M. Bhattacharjee, Muslim Law and the Constitution (Calcutta: Eastern Law House, 1994) Tahir Mohamood, The Muslim Law of India, (Law Book Company, 1980)	
Sources of Islamic Law	2	Lecture and discussion.	Mulla, Principles of Mohammedan Law, (New Delhi: Lexis Nexis, 1906). A. A. A Fyzee, Outlines of Mohammedan Law, (Oxford University Press, 1974)	Paras Diwan, Family Law: Law of Marriage and Divorce in India, (New Delhi: Universal Law Publishing Co. Ltd, 2011) A. M. Bhattacharjee, Muslim Law and the Constitution (Calcutta: Eastern Law House, 1994) Tahir Mohamood, The Muslim Law of India, (Law Book Company, 1980)	
Concept of Marriage: Definition, object, nature, essential requirements of a Muslim marriage,	2	Lecture and discussion.	Mulla, Principles of Mohammedan Law, (New Delhi: Lexis Nexis, 1906). A. A. A Fyzee, Outlines of Mohammedan Law,	Paras Diwan, Family Law: Law of Marriage and Divorce in India, (New Delhi: Universal Law Publishing Co. Ltd,	

classification of marriage			(Oxford University Press, 1974)	2011) A. M. Bhattacharjee, Muslim Law and the Constitution (Calcutta: Eastern Law House, 1994) Tahir Mohamood, The Muslim Law of India, (Law Book Company, 1980)	
Legal effects of valid, void and irregular marriage - Muta marriage	1	Lecture and discussion.	Mulla, Principles of Mohammedan Law, (New Delhi: Lexis Nexis, 1906). A. A. A Fyzee, Outlines of Mohammedan Law, (Oxford University Press, 1974)	Paras Diwan, Family Law: Law of Marriage and Divorce in India, (New Delhi: Universal Law Publishing Co. Ltd, 2011) A. M. Bhattacharjee, Muslim Law and the Constitution (Calcutta: Eastern Law House, 1994) Tahir Mohamood, The Muslim Law of India, (Law Book Company, 1980)	
Customary practices and State regulation: Polygamy; Child marriage; . Option of Puberty;	2	Lecture, <u>debate</u> and discussion.	Mulla, Principles of Mohammedan Law, (New Delhi: Lexis Nexis, 1906). A. A. A Fyzee, Outlines of Mohammedan Law, (Oxford University Press, 1974)	Paras Diwan, Family Law: Law of Marriage and Divorce in India, (New Delhi: Universal Law Publishing Co. Ltd, 2011) A. M. Bhattacharjee,	

	Dower; Kinds of Dower; Dower when confirmed; Widow's Right of Retention	1	Lecture and discussion.	Mulla, Principles of Mohammedan Law, (New Delhi: Lexis Nexis, 1906). A. A. A Fyzee, Outlines of Mohammedan Law, (Oxford University Press, 1974)	Muslim Law and the Constitution (Calcutta: Eastern Law House, 1994) Tahir Mohamood, The Muslim Law of India, (Law Book Company, 1980)	
	Conversion and its consequences on family: Marriage, Guardianship, Succession; Child and Family: the Shariat Act, 1937	2	Lecture and discussion.	Mulla, Principles of Mohammedan Law, (New Delhi: Lexis Nexis, 1906). A. A. A Fyzee, Outlines of Mohammedan Law, (Oxford University Press, 1974)	Paras Diwan, Family Law: Law of Marriage and Divorce in India, (New Delhi: Universal Law Publishing Co. Ltd, 2011) A. M. Bhattacharjee, Muslim Law and the Constitution	

			<p>(Calcutta: Eastern Law House, 1994) Tahir Mohamood, The Muslim Law of India, (Law Book Company, 1980)</p>	
<p>II (12)</p> <p>Parentage Legitimacy, and Acknowledgement of Paternity Custody, Maintenance and education, Guardianship and parental rights</p>	<p>4</p> <p>Lecture, <u>debate</u> and <u>discussion</u>.</p>	<p>Mulla, Principles of Mohammedan Law, (New Delhi: Lexis Nexis, 1906). A. A. A Fyzee, Outlines of Mohammedan Law, (Oxford University Press, 1974)</p>	<p>Paras Diwan, Family Law: Law of Marriage and Divorce in India, (New Delhi: Universal Law Publishing Co. Ltd, 2011) A. M. Bhattacharjee, Muslim Law and the Constitution (Calcutta: Eastern Law House, 1994) Tahir Mohamood, The Muslim Law of India, (Law Book Company, 1980)</p>	<p>At the end of the unit the students will be able to understand the peculiar norms governing relations in an Islamic family under codified and uncodified laws, including rights and liabilities of spouses and parents.</p>
<p>Matrimonial Remedies under Islamic Law and Indian Divorce Act, 1869 (Amended Act) – Modes of Talak – Effects of Talak – Iddat - Nullity of marriage - Bar to matrimonial relief;</p>	<p>4</p> <p>Lecture, case analysis and <u>discussion</u>.</p>	<p>Mulla, Principles of Mohammedan Law, (New Delhi: Lexis Nexis, 1906). A. A. A Fyzee, Outlines of Mohammedan Law, (Oxford University Press, 1974)</p>	<p>Paras Diwan, Family Law: Law of Marriage and Divorce in India, (New Delhi: Universal Law Publishing Co. Ltd, 2011) A. M. Bhattacharjee, Muslim Law and the Constitution (Calcutta: Eastern Law House, 1994)</p>	

					Tahir Mohamood, The Muslim Law of India, (Law Book Company, 1980)	
	Alimony and Maintenance: Alimony and Maintenance as an independent remedy- A review under Muslim law, Indian Divorce Act, 1869, provisions under the Criminal Procedure Code, 1973	2	Lecture and discussion.	Mulla, Principles of Mohammedan Law, (New Delhi: Lexis Nexis, 1906). A. A. A Fyzee, Outlines of Mohammedan Law, (Oxford University Press, 1974)	Paras Diwan, Family Law: Law of Marriage and Divorce in India, (New Delhi: Universal Law Publishing Co. Ltd, 2011) A. M. Bhattacharjee, Muslim Law and the Constitution (Calcutta: Eastern Law House, 1994) Tahir Mohamood, The Muslim Law of India, (Law Book Company, 1980)	
	Maintenance of divorced Muslim Women under the Muslim Women (Protection of Rights on Divorce) Act, 1986.	2	Lecture, case analysis and discussion. <i>debate</i>	Mulla, Principles of Mohammedan Law, (New Delhi: Lexis Nexis, 1906). A. A. A Fyzee, Outlines of Mohammedan Law, (Oxford University Press, 1974)	Paras Diwan, Family Law: Law of Marriage and Divorce in India, (New Delhi: Universal Law Publishing Co. Ltd, 2011) A. M. Bhattacharjee, Muslim Law and the Constitution (Calcutta: Eastern Law House, 1994) Tahir Mohamood, The Muslim Law of	

III(12)	Will-Meaning & Characteristics	1	Lecture and discussion.	Mulla, Principles of Mohammedan Law, (New Delhi: Lexis Nexis, 1906). A. A. A Fyzee, Outlines of Mohammedan Law, (Oxford University Press, 1974)	India, (Law Book Company, 1980)	At the end of the unit the students will be able to understand and analyse transfer of property through wills, gifts and wakf.	
	Limitations on a Mohammedan in making a will	1	Lecture and discussion.	Mulla, Principles of Mohammedan Law, (New Delhi: Lexis Nexis, 1906). A. A. A Fyzee, Outlines of Mohammedan Law, (Oxford University Press, 1974)	Basu, N.D., Law of Succession, 5th Edition, (Calcutta: Eastern Law House, 1974)		
	Will made in death bed or during illness	1	Lecture and discussion.	Mulla, Principles of Mohammedan Law, (New Delhi: Lexis Nexis, 1906). A. A. A Fyzee, Outlines of Mohammedan Law, (Oxford University Press, 1974)	Basu, N.D., Law of Succession, 5th Edition, (Calcutta: Eastern Law House, 1974)		
	Gifts(Hiba) : Essentials of Valid Gift; Kinds of Hiba; Revocation of Gifts	3	Lecture and discussion.	Mulla, Principles of Mohammedan Law, (New Delhi: Lexis Nexis, 1906). A. A. A Fyzee, Outlines of Mohammedan Law, (Oxford University Press, 1974)	Basu, N.D., Law of Succession, 5th Edition, (Calcutta: Eastern Law House, 1974)		

	Difference between will and gift	1	Lecture, debate and discussion.	Mulla, Principles of Mohammedan Law, (New Delhi: Lexis Nexis, 1906). A. A. A Fyzee, Outlines of Mohammedan Law, (Oxford University Press, 1974)	Basu, N.D., Law of Succession, 5th Edition, (Calcutta: Eastern Law House, 1974)	
	Wakf; Essentials of valid Wakf: Mutawalli – Appointment – Powers and Duties of Mutawalli	3	Lecture and discussion.	Mulla, Principles of Mohammedan Law, (New Delhi: Lexis Nexis, 1906). A. A. A Fyzee, Outlines of Mohammedan Law, (Oxford University Press, 1974)	Basu, N.D., Law of Succession, 5th Edition, (Calcutta: Eastern Law House, 1974)	
	Law relating Pre-emption; Nature of Right of Pre-emption; Who can Pre-empt; Formalities; When the Right of Pre-emption is lost.	2	Lecture and discussion.	Mulla, Principles of Mohammedan Law, (New Delhi: Lexis Nexis, 1906). A. A. A Fyzee, Outlines of Mohammedan Law, (Oxford University Press, 1974)	Basu, N.D., Law of Succession, 5th Edition, (Calcutta: Eastern Law House, 1974)	
IV(12)	Muslim law of Inheritance- Shia and Sunni schools;	3/6	Lecture, debate and discussion.	Mulla, Principles of Mohammedan Law, (New Delhi: Lexis Nexis, 1906). A. A. A Fyzee, Outlines of Mohammedan Law, (Oxford University Press, 1974)	Basu, N.D., Law of Succession, 5th Edition, (Calcutta: Eastern Law House, 1974)	At the end of this unit the students will be able to understand transfer of property through inheritance under Muslim law. Also, they will learn about transfer of properties belonging to a Christian or Parsi by

						way of succession.
	Distribution of property under Indian Succession Act of 1925(Of Christians, Parsis)	2	Lecture and discussion.	Paras Diwan, Law of Intestate and Testamentary Succession, 4th Edition, (New Delhi: Universal Law Publishing Co. Ltd, 2013)	Basu, N.D., Law of Succession, 5th Edition, (Calcutta: Eastern Law House, 1974)	
	Domicile- Kinds of Domicile – Modes of acquisition of Domicile	2	Lecture and discussion.	Paras Diwan, Law of Intestate and Testamentary Succession, 4th Edition, (New Delhi: Universal Law Publishing Co. Ltd, 2013)	Basu, N.D., Law of Succession, 5th Edition, (Calcutta: Eastern Law House, 1974)	
	Parsis Intestate succession and Non Parsis Intestate succession	3	Lecture and discussion.	Paras Diwan, Law of Intestate and Testamentary Succession, 4th Edition, (New Delhi: Universal Law Publishing Co. Ltd, 2013)	Basu, N.D., Law of Succession, 5th Edition, (Calcutta: Eastern Law House, 1974)	
	Succession certificate, Probate and letters of administration, Powers and Duties of Executor,	2	Lecture and discussion.	Paras Diwan, Law of Intestate and Testamentary Succession, 4th Edition, (New Delhi: Universal Law Publishing Co. Ltd, 2013)	Basu, N.D., Law of Succession, 5th Edition, (Calcutta: Eastern Law House, 1974)	
V(10)	Wills – Privileged and unprivileged wills	2	Lecture and discussion.	Paras Diwan, Law of Intestate and Testamentary Succession, 4th Edition, (New Delhi: Universal	Basu, N.D., Law of Succession, 5th Edition, (Calcutta: Eastern Law House, 1974)	At the end of the Unit the students will be able to understand the basics of Wills and Legacies and their

				Law Publishing Co. Ltd, 2013)		kinds. They will also learn about the role of family Courts and constitution directive relating to Uniform Civil Code.
Construction of Wills in brief - Void bequests, void wills	2	Lecture and discussion.	Paras Diwan, Law of Intestate and Testamentary Succession, 4th Edition, (New Delhi: Universal Law Publishing Co. Ltd, 2013)	Basu, N.D., Law of Succession, 5th Edition, (Calcutta: Eastern Law House, 1974)		
Kinds of Legacies; Specific and Demonstrative Legacy; Ademption of Legacies	2	Lecture and discussion.	Paras Diwan, Law of Intestate and Testamentary Succession, 4th Edition, (New Delhi: Universal Law Publishing Co. Ltd, 2013)	Basu, N.D., Law of Succession, 5th Edition, (Calcutta: Eastern Law House, 1974)		
Protection of property of the deceased; Appointment of Curator – Powers and Duties ; Family Courts Act, 1984- Constitution, powers, and its functions	2	Lecture and discussion.	Paras Diwan, Law of Intestate and Testamentary Succession, 4th Edition, (New Delhi: Universal Law Publishing Co. Ltd, 2013)	Basu, N.D., Law of Succession, 5th Edition, (Calcutta: Eastern Law House, 1974)		
Need for Uniform Civil Code- Article 44 of Indian Constitution	2	Lecture, debate, case analysis and discussion.				

No. of Teaching Hrs- 60

No. of Students Presentation-5

No. of Library Hrs- 1

No. of Hand-Outs: ~~Soft copies to be given~~ *hard copy.*

No. of Assessment Hrs- 3

No. of writing exercises: 5

No. of Hrs. for revision and Question Paper Solving-8

No. of documentaries to be screened: 2

Service Learning (if any) :

Guest Lectures (if any): 2

Course Outcome: At the end of the unit, the student will be able to apply the various principles of the Islamic Law and Law Succession in practical problems.

Industry/Professional Skills:

Human Values: To inculcate respect for the diversity and to promote inclusiveness values.

Jomy George

Course Teacher

Jomy George

Academic Co-ordinator

Coordinator

Internal Quality Assurance Cell

KLE Society's Law College, Bangalore.

[Signature]
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